

**ST. MARY'S COUNTY**  
**BOARD OF COUNTY COMMISSIONERS' MEETING**  
**GOVERNMENTAL CENTER**

**Tuesday, April 4, 2006**

**Present:** Commissioner President Thomas F. McKay

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly, Sr.

Commissioner Daniel H. Raley

George G. Forrest, County Administrator

Donna Gebicke, Administrative Assistant (Recorder)

The meeting was called to order at 9:09 a.m.

**APPROVAL OF CHECK REGISTER**

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register as presented. Motion carried 5-0.**

**APPROVAL OF MINUTES**

**Commissioner Dement moved, seconded by Commissioner Mattingly, to adopt the minutes of the Commissioners' meeting of March 28, 2006, as presented. Motion carried 4-0, with Commissioner Jarboe abstaining due to his absence from the March 28th meeting.**

**PROCLAMATIONS PRESENTED**

To: Dr. Kathleen O'Brien, Executive Director, Walden/Sierra; and Yevonnie Lowe, Crisis Services Supervisor. In recognition of: Sexual Assault Awareness Month.

To: Dr. Icenhower, Health Officer; Tracy Kubinec, Deputy Health Officer; Leslie Payne, PIO;

Karen Russell, Wellness & Health Promotion Manager. In recognition of: National Public Health Week.

**COUNTY ADMINISTRATOR**

- 1. Draft Agendas for April 11 and April 25, 2006 (There will be no meeting on April 18<sup>th</sup>)**

2. **Walden Sierra** (*Dr. Kathleen O'Brien, Executive Director*)

a. Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner President to sign the Revised Conditions of Award from the Alcohol and Drug Abuse Administration relating to the one-time supplement to Anchor of Walden's Fiscal Year 2006 grant. Motion carried 5-0.

b. Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner President to sign the Transmittal Page of the Grant Application to the Maryland Department of Human Resources for Community Sexual Assault Prevention and Awareness Activities to be carried out by Walden/Sierra. Motion carried 5-0.

3. **Department of Recreation, Parks, and Community Services** (*Phil Rollins, Director, RP&CS*;

a. Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner President to sign the budget amendment that decreases FY06 Piney Point Lighthouse Museum project budget by \$75,000 in order to align the project budget to the actual Maryland Heritage Areas Authority grant award. Motion carried 5-0.

(*Elaine Kramer, CFO*)

b. Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President to sign the Chesapeake Bay Gateways Network Memorandum of Understanding with the National Park Service for Myrtle Point Park. Motion carried 4-0.

(*Commissioner Mattingly was absent for the vote.*)

4. **Department of Public Works & Transportation** (*George A. Erichsen, Director, DPW&T*)

a. Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize the Commissioner President to sign Public Works Agreement for the Big Chestnut Subdivision, located in the 3rd Election District, with an expiration date of December 1, 2006. Motion carried 5-0.

b. Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President to sign Public Works Agreement Addendum for Forrest Farm Subdivision, Section 3, Phases 3 & 4, located in the 3rd Election District with an expiration date of March 1, 2007. Motion carried 5-0.

c. Commissioner Mattingly moved, seconded by Commissioner Raley, to approve and authorize Commissioner President to sign Public Works Agreement Addendum for Forrest Farm Subdivision, Section 3, Phase 7, located in the 3rd Election District with an expiration date of February 1, 2007. Motion carried 5-0.

d. Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign the Public Works Agreement Addendum for Avonlea Subdivision, Section 2, Phase 1, located in the 5th Election District, with an expiration date of March 1, 2007. Motion carried 5-0.

e. Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President to sign the Public Works Agreement Addendum for Newton Manor Subdivision, Phase 2, Section 1, located in the 6th Election District, with an expiration date of December 1, 2006. Motion carried 5-0.

f. Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign Public Works Agreement Addendum for Patuxent Corporate Center, located in the 8th Election District, with an expiration date of March 1, 2007. Motion carried 5-0.

g. Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign the Public Works Agreement Addendum for Pembroke Subdivision, Phase I, located in the 8th Election District, with an expiration date of March 1, 2007. Motion carried 5-0.

h. Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President to sign Public Works Agreement Addendum for Hickory Hills North Subdivision, Section 3, located in the 8th Election District with an expiration date of March 1, 2007. Motion carried 5-0.

i. Commissioner Raley moved, seconded by Commissioner Dement, to approve and sign Resolutions to: Accept Rue Woods Drive and Sylvan Court, located in the Rue Woods Subdivision, 8th Election District, into the County's highway Maintenance System; and to establish posted 25 mile per hour speed limits and erect stop signs on said roads. Motion carried 5-0.

5. **Department of Finance** (*Elaine Kramer, Chief Financial Officer*)

(*George A. Erichsen, Director, DPW&T*)

a. Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President McKay to sign three Budget Amendments which will close or reduce the following Capital Projects: Mansfield Mitigation, Transportation Plan, and College of So. Md. Humdity, and return remaining funds to the FIN06 CIP Reserve. Motion carried 5-0.

(*George A. Erichsen, Director, DPW&T; and John Savich, Director, DECD*)

b. Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize Commissioner President McKay to sign the Budget Amendment which will reduce

**the CIP Reserve by \$75,000 and establish a contingency as working capital for the balance of the Charlotte Hall Visitor Center project and to complete the parking lot. Motion carried 5-0.**

**6. Real Property Manager** (*Liz Passarelli, Real Property Manager*)

(*Chris A. Risner, General Manager, Jiffy Lube, Lexington Park*)

**a. Commissioner Raley moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign the Railroad Right-of-Way Easement Agreement for the purpose of granting a grading and utility easement to RNV,LLC., trading as Jiffy Lube, to be located at 22781 Three Notch Road, California. Motion carried 5-0.**

(*John Norris, Sr., NG&O Engineering*)

**b. Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner President to sign the Railroad Right-of-Way Easement Agreement for the purpose of granting a sanitary sewer and grading easement to Century 21 New Millennium to be located on Three Notch Road in California. Motion carried 5-0.**

(*Robin Guyther, Agent for property owner*)

**c. Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign the Joint Use Agreement for Stormwater Management for the purpose of directing stormwater runoff from the drainage area to a portion of County-owned property. Motion carried 5-0.**

**7. Department of Aging** (*Jennie Page, Acting Director, DOA; Debbie Barker, Health Insurance Coordinator*)

**Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner President to sign the MD Dept. of Aging Notification of Grant Award for the Senior Health Insurance Program funding and related the Budget Amendment (\$8,333). Motion carried 5-0.**

**DEPARTMENT OF RECREATION, PARKS & COMMUNITY SERVICE: YOUTH FOOTBALL PROPOSAL**

Present: Phil Rollins, Director

Mr. Rollins updated the Commissioners on activities that have taken place since the Department presented its proposal to the Board on February 28th for the County to administer youth football. Since that time, the Board adopted the "Raising Community Standards in Youth Sports" initiative for all sports leagues in the County and approved the addition of a staff member to oversee youth sports. Commissioners and staff met with Pigskin board members who indicated that a number of changes have been made in the program, mainly that it is affiliating with the Pop Warner youth football organization, which brings with it an additional standards. With the Commissioners' concurrence, the County Administrator has agreed to sit as the County's representative on the Pigskin Board of Directors. Mr. Forrest brings extensive experience as a former football player, coach, and administrator. The Southern County Youth Football program continues to work on getting established. This program would operate independently, but the County would also have the authority to step in and correct any problems as they relate to use of County fields, just as with other leagues. The Department would provide practice areas and game fields for the South County program as appropriate.

Due to the recent changes and new initiatives, the Department is no longer recommending that the County administer youth football. The Board concurred that positive steps have been taken to ensure the best possible environment for youth sports in the County, and that no further action needed to be taken at this time. It was suggested that the Pigskin organization share their action plan with the Commissioners and the public for ensuring a safe, positive environment, and that the status of youth football be re-evaluated following the completion of the upcoming season. Staff was directed to continue working with the Southern County Youth Football League to get established and to carry out other administrative initiatives as discussed.

#### **SENIOR TAX CREDIT PROGRAM**

Commissioner Mattingly provided follow-up to the March 21st discussion of his attempts to help resolve the seniors' concerns resulting from opinions expressed by the Assistant Attorney General and an Assessments and Taxation Attorney questioning the constitutionality of the County's Senior Tax Credit program. The attorneys in question offered to work with County staff to come up with language that would remove their concerns, but have subsequently determined that they are unable to make any recommended modifications.

Commissioner Mattingly requested that as a parallel action to the Board's decision to seek an opinion on this matter from the Circuit Court, staff continue to research possible modifications to the Ordinance that would eliminate any constitutionality questions. Commissioner Jarboe asked that staff also look into options for providing long-term senior tax relief.

#### **COMMISSIONERS' TIME**

##### Commissioner Mattingly

Presented a proclamation to physicians at the Doctors' Day Breakfast Celebration hosted by the St. Mary's Hospital Board of Directors; attended Hospice of St. Mary's Recognition Luncheon honoring volunteers, friends and supporters; and the St. Mary's River Watershed Association Annual Meeting.

##### Commissioner Jarboe

Attended opening of "Friday Night Madness" at Budds Creek raceway, a good opportunity for young people to compete in a safe, controlled race environment.

##### Commissioner Raley

Attended St. Mary's River Watershed Association Annual Meeting. Congratulations and thanks to Chair Nancy McAllister who is stepping down. She was the catalyst for this group and has brought a lot of energy and hard work to its mission.

##### Commissioner Dement

Apologize for missing the Doctors' Day breakfast. Attended the recognition luncheon for volunteers and friends of Hospice; presented a 60th birthday proclamation to Tommy Hall on behalf of the Commissioners.

##### Commissioner McKay

Presented Commissioner Raley with a plaque from the Oasis of Victory Christian Church in recognition of his service to the community.

#### **DEPARTURE FROM GOVERNMENTAL CENTER**

The Commissioners recessed and reconvened at the Retired Senior and Volunteer Program Luncheon at the Dr. James A. Forrest Career and Technology Center. At the conclusion of the luncheon, the Commissioners visited the following businesses: Cedar Point Credit Union, Smartronix, Inc.; Transom Staffing Services/Office Resource Associations; Laser Lube; and Two Guys Collision Center.

**ADJOURNMENT**

The meeting adjourned at 4:40 p.m.

Minutes Approved by the Board of County Commissioners on \_\_\_\_\_

\_\_\_\_\_

Donna Gebicke, Administrative Assistant